

1 QUINN EMANUEL URQUHART & SULLIVAN, LLP

Charles K. Verhoeven (Bar No. 170151)

2 charlesverhoeven@quinnemanuel.com

David A. Perlson (Bar No. 209502)

3 davidperlson@quinnemanuel.com

Melissa Baily (Bar No. 237649)

4 melissabaily@quinnemanuel.com

John Neukom (Bar No. 275887)

5 johnneukom@quinnemanuel.com

Jordan Jaffe (Bar No. 254886)

6 jordanjaffe@quinnemanuel.com

50 California Street, 22nd Floor

7 San Francisco, California 94111-4788

Telephone: (415) 875-6600

8 Facsimile: (415) 875-6700

9 Attorneys for WAYMO LLC

10 UNITED STATES DISTRICT COURT

11 NORTHERN DISTRICT OF CALIFORNIA, SAN FRANCISCO DIVISION

12 WAYMO LLC,

13 Plaintiff,

14 vs.

15 UBER TECHNOLOGIES, INC.;
16 OTTOMOTTO LLC; OTTO TRUCKING
LLC,

17 Defendants.

CASE NO. 3:17-cv-00939-WHA

**DECLARATION OF LINDSAY COOPER
IN SUPPORT OF PLAINTIFF WAYMO
LLC'S ADMINISTRATIVE MOTION TO
FILE UNDER SEAL ITS OPPOSITION
TO DEFENDANTS' MOTION TO
EXCLUDE WAYMO'S DAMAGES
EXPERT MICHAEL J. WAGNER**

1 I, Lindsay Cooper, declare as follows:

2 1. I am an attorney licensed to practice in the State of California and am admitted to
3 practice before this Court. I am an associate at the law firm Quinn Emanuel Urquhart & Sullivan,
4 LLP, counsel for the Plaintiff Waymo LLC (“Waymo”). I have personal knowledge of the matters set
5 forth in this Declaration, and if called as a witness I would testify competently to those matters.

6 2. I make this declaration in support of Waymo’s Administrative Motion to File Under
7 Seal information in its Opposition to Defendants’ Motion to Exclude Waymo’s Damages Expert
8 Michael J. Wagner (the “Administrative Motion”). The Administrative Motion seeks an order sealing
9 the following materials:

Document	Portions to Be Filed Under Seal	Designating Party
Portions of Waymo’s Opposition	Portions highlighted in blue	Defendants
	Portions highlighted in green	Waymo
Nardinelli Declaration Exhibits 1-5, 7-9	Entire documents	Defendants
Nardinelli Declaration Exhibit 6	Entire document	Defendants and Waymo

16 3. Waymo has filed portions of portions of Waymo’s Opposition (portions highlighted in
17 blue) and Nardinelli Declaration Ex. 1-9 under seal because they contain information that Defendants
18 have designated confidential. Waymo expects Defendants to file one or more declarations in
19 accordance with the Local Rules.

20 4. Waymo’s Opposition (portions highlighted in green) and Nardinelli Ex. 6 contain or
21 refers to trade secret and confidential business information, which Waymo seeks to seal. Portions of
22 Waymo’s Opposition (portions highlighted in green) and Nardinelli Ex. 6 contain, reference, and/or
23 describe Waymo’s asserted trade secrets. Specifically, the highlighted portions describe proprietary
24 information gathered from technical leads across the entire self-driving program, including
25 descriptions and names of software, company goals for its technical development, specific technical
26 design goals, and identification of risks. I understand that these trade secrets are maintained as secret
27 by Waymo (Dkt. 25-47) and are valuable as trade secrets to Waymo’s business (Dkt. 25-31). The
28 public disclosure of this information would give Waymo’s competitors access to in-depth

1 descriptions—and analysis—of the functionality of Waymo’s autonomous vehicle system. If such
2 information were made public, I understand that Waymo’s competitive standing would be
3 significantly harmed. Waymo’s request to seal is narrowly tailored to only the confidential
4 information. Portions of Waymo’s Opposition (portions highlighted in green) and Nardinelli Ex. 6
5 also contain significant, in-depth information regarding Waymo’s licensing policies and future
6 business plans. I understand that Waymo maintains this information as confidential, and if this
7 information were disclosed publicly, Waymo would be significantly harmed.

8 I declare under penalty of perjury under the laws of the State of California that the foregoing is
9 true and correct, and that this declaration was executed in San Francisco, California, on September 22,
10 2017.

11 By /s/ Lindsay Cooper

12 Lindsay Cooper

13 Attorneys for WAYMO LLC
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

SIGNATURE ATTESTATION

Pursuant to Local Rule 5-1(i)(3), I attest under penalty of perjury that concurrence in the filing of this document has been obtained from Lindsay Cooper.

/s/ Charles K. Verhoeven
Charles K. Verhoeven